

DEPARTMENT OF JUSTICE

GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY03 Adjusted Base	FY04 Recommended	% Change Over FY03	FY05 Recommended	% Change Over FY04
GPR	36,871,100	33,250,400	-9.8	33,157,200	-0.3
PR-F	7,633,100	7,562,100	-0.9	7,562,100	0.0
PR-O	20,749,900	21,553,900	3.9	21,802,100	1.2
PR-S	11,898,800	9,957,400	-16.3	9,444,500	-5.2
SEG-O	289,900	299,200	3.2	302,100	1.0
TOTAL	77,442,800	72,623,000	-6.2	72,268,000	-0.5

FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY03 Adjusted Base	FY04 Recommended	FTE Change From FY03	FY05 Recommended	FTE Change From FY04
GPR	381.70	367.70	-14.00	367.70	0.00
PR-F	27.25	25.25	-2.00	25.25	0.00
PR-O	78.75	84.25	5.50	84.25	0.00
PR-S	67.40	66.40	-1.00	66.40	0.00
SEG-O	2.75	2.75	0.00	2.75	0.00
TOTAL	557.85	546.35	-11.50	546.35	0.00

AGENCY DESCRIPTION

The department is headed by the Attorney General, an elected constitutional officer. The department provides legal, criminal investigatory and other law enforcement services for the state.

The Division of Legal Services represents the interests of the state in court, advises state officers and agencies regarding their legal rights and responsibilities, and represents them in court. The division advises county district attorneys and corporation counsel on matters within the jurisdiction of their offices. The division also participates in the preparation of legal opinions requested of the Attorney General.

The Division of Law Enforcement Services analyzes forensic physical evidence for state and local law enforcement agencies. The division includes the state repository for fingerprint identification, DNA databank, criminal history record information and operates a 24-hours-a-day, seven-days-a-week statewide computerized telecommunications system linking law enforcement agencies. The division also administers recruitment and training standards which apply to all Wisconsin law enforcement officers and provides training at advanced levels.

The Division of Criminal Investigation investigates crime that is statewide in nature or importance. The division enforces laws pertaining to gambling, prostitution and white collar crime; investigates fires of unknown or suspected incendiary origin; and assists local law enforcement in the investigation of crimes against persons and property. The division is responsible for protecting the integrity of state authorized gaming, such as the lottery, pari-mutuel betting and tribal gaming.

The Division of Narcotics Enforcement is responsible for the investigation and enforcement of laws pertaining to narcotics and dangerous drugs and for supporting the efforts of local law enforcement through investigative assistance and training.

The Division of Management Services is responsible for operational support which includes policy analysis, budget, information technology, and fiscal and human resource services.

The Office of Crime Victim Services provides direct assistance to victims of crime and administers programs that support services to crime victims. The office also serves as a statewide resource and clearinghouse for information on legislation, research and practices that impact victims of crime and the criminal justice system.

DEPARTMENT OF JUSTICE

GOVERNOR'S BUDGET RECOMMENDATIONS

RECOMMENDATIONS

1. Budget Efficiency Measures
2. Budget Reorganization – Consumer Protection Functions
3. Program and Segregated Revenue Lapses
4. County-Tribal Law Enforcement Grant Consolidation
5. Fingerprint Application Check Increase
6. Drug Law Enforcement Fee Increase
7. New Paper Record Surcharge
8. DNA Testing – Reimbursement to Sheriffs
9. AFIS Support Equipment
10. AFIS Maintenance
11. Victim Compensation and Restitution
12. Standard Budget Adjustments

ITEMS NOT APPROVED

13. Reimbursing Counties for Victim Services

Table 1
Department Budget Summary by Funding Source (in thousands of dollars)

	ACTUAL FY02	ADJUSTED		GOVERNOR'S		
		BASE FY03	AGENCY REQUEST FY04	AGENCY REQUEST FY05	RECOMMENDATION FY04	RECOMMENDATION FY05
GENERAL PURPOSE REVENUE	\$38,475.6	\$36,871.1	\$36,686.6	\$36,693.4	\$33,250.4	\$33,157.2
State Operations	35,753.0	33,652.7	34,006.4	34,013.2	30,570.2	30,477.0
Local Assistance	1,444.7	1,960.4	1,422.2	1,422.2	1,422.2	1,422.2
Aids to Ind. & Org.	1,277.9	1,258.0	1,258.0	1,258.0	1,258.0	1,258.0
FEDERAL REVENUE (1)	10,629.6	7,633.1	7,562.1	7,562.1	7,562.1	7,562.1
State Operations	4,523.4	2,849.8	2,786.3	2,786.3	2,786.3	2,786.3
Local Assistance	5,524.0	4,139.4	4,131.9	4,131.9	4,131.9	4,131.9
Aids to Ind. & Org.	582.2	643.9	643.9	643.9	643.9	643.9
PROGRAM REVENUE (2)	32,381.8	32,648.7	32,595.4	32,666.9	31,511.3	31,246.6
State Operations	21,865.0	20,731.4	19,875.1	19,610.4	20,089.0	19,824.3
Local Assistance	10,121.5	11,428.5	12,231.5	12,567.7	10,708.5	10,708.5
Aids to Ind. & Org.	395.3	488.8	488.8	488.8	713.8	713.8
SEGREGATED REVENUE (3)	287.4	289.9	299.2	302.1	299.2	302.1
State Operations	287.4	289.9	299.2	302.1	299.2	302.1
TOTALS-ANNUAL	81,774.4	77,442.8	77,143.3	77,224.5	72,623.0	72,268.0
State Operations	62,428.8	57,523.8	56,967.0	56,712.0	53,744.7	53,389.7
Local Assistance	17,090.2	17,528.3	17,785.6	18,121.8	16,262.6	16,262.6
Aids to Ind. & Org.	2,255.4	2,390.7	2,390.7	2,390.7	2,615.7	2,615.7

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

Table 2
Department Position Summary by Funding Source (in FTE positions) (4)

	ADJUSTED		GOVERNOR'S		
	BASE FY03	AGENCY REQUEST FY04	AGENCY REQUEST FY05	RECOMMENDATION FY04	RECOMMENDATION FY05
GENERAL PURPOSE REVENUE	381.70	381.70	381.70	367.70	367.70
FEDERAL REVENUE (1)	27.25	25.25	25.25	25.25	25.25
State Operations	22.75	20.75	20.75	20.75	20.75
Local Assistance	4.50	4.50	4.50	4.50	4.50
PROGRAM REVENUE (2)	146.15	146.15	146.15	150.65	150.65
State Operations	145.65	145.65	145.65	150.15	150.15
Local Assistance	0.50	0.50	0.50	0.50	0.50
SEGREGATED REVENUE (3)	2.75	2.75	2.75	2.75	2.75
TOTALS-ANNUAL	557.85	555.85	555.85	546.35	546.35
State Operations	552.85	550.85	550.85	541.35	541.35
Local Assistance	5.00	5.00	5.00	5.00	5.00

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

(4) All positions are State Operations unless otherwise specified

Table 3
Department Budget Summary by Program (in thousands of dollars)

	ACTUAL FY02	ADJUSTED BASE FY03	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY04	FY05	FY04	FY05
1. Legal and regulatory services	\$17,503.8	\$16,061.0	\$16,366.6	\$16,371.8	\$15,926.5	\$15,831.7
2. Law enforcement services	41,495.9	41,631.4	40,105.9	39,844.2	37,225.8	36,964.1
3. Administrative services	6,529.9	4,388.7	4,547.0	4,547.0	3,975.5	3,975.5
5. Victims and witnesses	16,244.8	15,361.7	16,123.8	16,461.5	15,495.2	15,496.7
TOTALS	81,774.4	77,442.8	77,143.3	77,224.5	72,623.0	72,268.0

Table 4
Department Position Summary by Program (in FTE positions) (4)

	ADJUSTED BASE FY03	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY04	FY05	FY04	FY05
1. Legal and regulatory services	159.85	159.85	159.85	172.35	172.35
2. Law enforcement services	326.00	325.00	325.00	305.00	305.00
3. Administrative services	48.00	48.00	48.00	46.00	46.00
5. Victims and witnesses	24.00	23.00	23.00	23.00	23.00
TOTALS	557.85	555.85	555.85	546.35	546.35

(4) All positions are State Operations unless otherwise specified

1. Budget Efficiency Measures

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-5,000,000	-40.00	-5,000,000	-40.00
TOTAL	0	0.00	0	0.00	-5,000,000	-40.00	-5,000,000	-40.00

The Governor recommends reducing expenditure and position authority in the department's state operations appropriations in the amounts shown to create additional operational efficiencies and balance the budget by: (a) consolidating the Division of Narcotics Enforcement with the Division of Criminal Investigations; (b) transferring 13.0 FTE positions from GPR funding to program revenue funding; (c) decreasing the number of assistant attorneys general positions; and (d) decreasing the number of positions in the consumer protection unit.

2. Budget Reorganization – Consumer Protection Functions

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	1,563,800	26.00	1,463,800	26.00
PR-O	0	0.00	0	0.00	283,500	5.50	283,500	5.50
TOTAL	0	0.00	0	0.00	1,847,300	31.50	1,747,300	31.50

The Governor recommends consolidating all consumer protection functions in the department. The transfer will involve: (a) \$413,600 and 11.0 FTE positions in each year; (b) \$155,000 for moving costs and supplies; (c) \$995,200 and 15.0 FTE positions transferred from the Department of Agriculture, Trade and Consumer Protection; and (d) \$283,500 and 5.50 FTE telephone solicitation regulation positions transferred from the Department of Agriculture, Trade and Consumer Protection. Approximately \$2.4 million will be saved during the 2003-05 biennium as a result of this consolidation. See Department of Agriculture, Trade and Consumer Protection, Item #2.

3. Program and Segregated Revenue Lapses

The Governor recommends transferring balances to the general fund from the following appropriation: (a) \$161,500 in each year from s. 20.455(2)(ja).

4. County-Tribal Law Enforcement Grant Consolidation

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	0	0.00	0	0.00	-778,000	-1.00	-778,000	-1.00
TOTAL	0	0.00	0	0.00	-778,000	-1.00	-778,000	-1.00

The Governor recommends transferring and consolidating the department's cooperative county-tribal law enforcement grant program for counties bordering Indian reservations into the Office of Justice Assistance.

5. Fingerprint Application Check Increase

The Governor recommends increasing the fingerprint application check fee from \$10 to \$15 to fund the more complex and expensive process.

6. Drug Law Enforcement Fee Increase

The Governor recommends increasing the drug law enforcement fee by \$2 to increase program revenue and reduce the need for general purpose revenue.

7. New Paper Record Surcharge

The Governor recommends implementing a \$5 surcharge for paper record requests to the Criminal Investigation Bureau to give the public an incentive to use the bureau's on-line facility.

8. DNA Testing – Reimbursement to Sheriffs

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	126,000	0.00	126,000	0.00	126,000	0.00	126,000	0.00
TOTAL	126,000	0.00	126,000	0.00	126,000	0.00	126,000	0.00

The Governor recommends continuing funding to reimburse county sheriffs for the costs of collecting DNA samples from felons placed on probation.

9. AFIS Support Equipment

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	-1,155,100	0.00	-1,700,100	0.00	-1,155,100	0.00	-1,700,100	0.00
TOTAL	-1,155,100	0.00	-1,700,100	0.00	-1,155,100	0.00	-1,700,100	0.00

The Governor recommends decreasing base spending authority to reflect completion of the Automated Fingerprint Identification System (AFIS) upgrade and retaining \$545,000 to purchase two fingerprint matchers and a live scan device to complete the upgrading of the Dodge Correctional Facility Automated Fingerprint Identification System equipment.

10. AFIS Maintenance

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	0	0.00	240,000	0.00	0	0.00	240,000	0.00
TOTAL	0	0.00	240,000	0.00	0	0.00	240,000	0.00

The Governor recommends increasing spending authority to fully fund upgrading and maintenance costs of the Automatic Fingerprint Identification System (AFIS).

11. Victim Compensation and Restitution

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	0	0.00	0	0.00	200,000	0.00	200,000	0.00
PR-S	0	0.00	0	0.00	25,000	0.00	25,000	0.00
TOTAL	0	0.00	0	0.00	225,000	0.00	225,000	0.00

The Governor recommends creating two appropriations for: (a) an assessment on fines, forfeitures, attorney fees, costs and any other penalties ordered in consumer protection and antitrust cases; and (b) restitution ordered in narcotics enforcement cases to be deposited in, and spent from, a new narcotics buy fund appropriation.

12. Standard Budget Adjustments

Source of Funds	Agency Request				Governor's Recommendation			
	FY04		FY05		FY04		FY05	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	-184,500	0.00	-177,700	0.00	-184,500	0.00	-177,700	0.00
PR-F	-71,000	-2.00	-71,000	-2.00	-71,000	-2.00	-71,000	-2.00
PR-O	194,500	0.00	202,700	0.00	194,500	0.00	202,700	0.00
PR-S	-33,300	0.00	-1,200	0.00	-33,300	0.00	-1,200	0.00
SEG-O	9,300	0.00	12,200	0.00	9,300	0.00	12,200	0.00
TOTAL	-85,000	-2.00	-35,000	-2.00	-85,000	-2.00	-35,000	-2.00

The Governor recommends adjusting the department's base budget for: (a) turnover reduction (-\$499,500 in each year); (b) removal of noncontinuing elements from the base (-\$1,182,400 and -2.0 FTE in each year); (c) full funding of continuing position salaries and fringe benefits (\$614,500 in each year); (d) funding of ongoing s. 13.10 supplements (-\$521,400 in each year); (e) reclassifications and semiautomatic pay progression (\$86,200 in FY04 and \$130,700 in FY05); (f) overtime (\$731,200 in each year); (g) night and weekend differential pay (\$12,400 in each year); (h) fifth week of vacation as cash (\$82,100 in FY04 and \$87,600 in FY05); and (i) full funding of lease and directed moves costs (\$70,500 in each year).

ITEMS NOT APPROVED

The following requests are not included in the Governor's budget recommendations for the Department of Justice.

Decision Item	Source of Funds	FY04		FY05	
		Dollars	Positions	Dollars	Positions
13. Reimbursing Counties for Victim Services	PR-O	0	0.00	222,000	0.00
	PR-S	814,600	0.00	928,800	0.00
TOTAL OF ITEMS NOT APPROVED	PR-O	0	0.00	222,000	0.00
	PR-S	814,600	0.00	928,800	0.00